BEFORE THE FEDERAL ELECTION COMMISSION

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In the Matter of)	MUR 3774
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DAVID CARNEY'S RESPONSES TO THE FEDERAL ELECTION COMMISSION'S SUBPOENA

David Carney hereby submits the following objections and responses to the Federal Election Commission's ("FEC") Subpoena to Produce Documents and Order to Submit Written Answers ("the FEC Subpoena") as follows:

GENERAL OBJECTIONS

The following general objections apply to each request for the production of documents and for written answers (the "Questions") accompanying the FEC Subpoena:

- I object to the Questions to the extent that they call for the disclosure of information and/or production of documents that are protected from discovery by the attorney-client privilege or work-product immunity or are otherwise privileged. To the extent that any privileged document is or may be produced in response to the Questions, the production of any such document is inadvertent and is not to be deemed a waiver of any privilege with respect to the produced document or any other document.
- 2. I object to the Questions to the extent they purport to impose obligations to supplement the disclosure of information and/or the production of documents beyond those imposed by the United States Code and the Federal Rules of Civil Procedure.

- 3. I undertake to disclose information and produce documents in response to the Questions only in the form, and to the extent, required by 2 U.S.C. § 437d and any other applicable provisions of the United States Code or the Federal Rules of Civil Procedure. I object to each instruction, definition, question and request contained in the Questions to the extent that each instruction, definition, question and request attempts to impose obligations concerning the form or context of document production beyond those required by such provisions or exceeds the scope of investigation permitted by, or conflicts with 2 U.S.C. § 437d and any other applicable provisions of the United States Code or the Federal Rules of Civil Procedure.
- 4. I object to the Questions to the extent that they call for the disclosure of information or the production of documents containing proprietary information.
- 5. I reserve the right to modify the objections made herein or to assert additional objections to production as appropriate.
- 6. I reserve the right to modify, amend or supplement the answers to the Questions contained herein as further information becomes available or as otherwise appropriate.

SPECIFIC OBJECTIONS, RESPONSES AND ANSWERS TO INTERROGATORIES

Subject to the General Objections, and without waiving same, I hereby respond to the individual Questions as follows:

Question No. 1

Identify by name and position all contact persons at the following U.S. Senate campaigns with whom you communicated in 1993:

Response and Answer to Question No. 1:

a. Kay Bailey Hutchison's Senate campaign, including the May 1, 1993 special election campaign and the June 5, 1993 special election runoff.

My contact persons at the Hutchison Senate campaign were: Kay Bailey Hutchison -

Candidate; Karl Rove - Consultant; and Dave Beckwith - Press Consultant.

Ouestion No. 2

Identify by name and position all contact persons at the following U.S. Senate campaigns with whom you communicated in 1994:

Response and Answer to Question No. 2:

a. Rod Grams' Senate campaign.

Rod Grams - Candidate; and Dwight Tostenson - Campaign Manager.

b. Rick Santorum's Senate campaign.

Rick Santorum - Candidate; John Brabender - Media Consultant; Ed Hodges - Campaign Manager; Mike Mihalke - Press Secretary; and Mark Rodgers - Advisor.

SPECIFIC OBJECTIONS AND RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS

Subject to the General Objections stated above, and without waiving same, I hereby state that I have no documents responsive to any of the requests for production of documents (Nos. 1 through 5) within my possession, custody or control.

Respectfully submitted,

David Carney

Dated: April ____, 1997

VERIFICATION OF WRITTEN ANSWERS

I, David Carney, hereby declare under penalty of perjury that the foregoing Responses to the Federal Election Commission's Subpoena are true and correct to the best of my knowledge and belief.

By

David Carney

Subscribed and sworn before me this <u>25</u> day of April, 1997

Notary Public

MICHAEL E. CASS, Notary Public

My Commission Expired November 15, 2000